

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ZAXCOM, INC. : CIVIL ACTION
:
v. : NO. 23-1245
:
RODE MICROPHONES, LLC, *et al.* :

ORDER

AND NOW, this 3rd day of April 2024, upon considering the parties' stipulation to postpone the April 11, 2024 oral argument and case management conference (DI 35), and finding no good cause,¹ it is **ORDERED**:

1. The stipulation (DI 35) is **NOT APPROVED**.
2. We maintain oral argument and the case management conference set for **April 11, 2024 at 2:30P.M. in Courtroom 3B**, Third Floor, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.
3. Any reply or further briefing relating to the default or service issues shall be filed no later than **April 10, 2024**.


MURPHY, J.

¹ Strangely, counsel have been unable to iron out the inclusion of a parent company as defendant — typically a trivial preliminary issue. The record thus far reflects no genuine substantive concerns. What's the difference whether Freeman is named or not? What's the difference whether service is simply accepted or it's done the slow way? Trusting that this is not mere gamesmanship, it is high time to find out what the real problem is, resolve it, and put this case on track. That will happen at the hearing. If the parties work it out beforehand, please advise us and the hearing will be canceled.

Lead counsel for defendants Mr. Beem “possesses schedule conflicts” (DI 35), but that is not good cause to postpone the hearing because there are at least two other lawyers available and because the nature of the conflict is vague. Defendants have leave to proceed in the oral argument in the absence of lead counsel provided that counsel attending the hearing are fully prepared.